

Message Text

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ACTION NEA-12

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R 211145Z SEP 73

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 1220

INFO AMEMBASSY DACCA

AMEOZASSY KABUL

AMCONSUL KARACHI

AMCONSUL LAHORE

AMEMBASSY NEW DELHI

AMEMBASSY TEHRAN

C O N F I D E N T I A L ISLAMABAD 8179

E.O. 11652: GDS

TAGS: PINT, PK

SUBJ: FIRST SESSION OF FEDERAL LEGISLATURE UNDER
NEW CONSTITUTION

SUMMARY: IN JUST CONCLUDED FIRST LEGISLATIVE SESSION UNDER
NEW CONSTITUTION, GOVERNMENT PUSHED THROUGH LEGISLATION
SUSPENDING FUNDAMENTAL RIGHTS, RECOGNIZING BUREAUCRACY,
SPECIFYING PUNISHMENT FOR POLITICAL CRIMES, NATIONALIZING
VEGETABLE OIL INDUSTRY, AND ENABLING GOVERNMENT TO ACQUIRE
PROPRIETARY RIGHTS IN INDUSTRIAL CONCERNS BROUGHT UNDER STATE
MANAGEMENT LAST YEAR. THESE ACTS WILL FURTHER
EXTEND REGIME'S CONTROL OVER CRUCIAL ASPECTS OF GOVERNANCE.
COMBINED OPPOSITION BOYCOTTED SESSION IN PROTEST AGAINST
HARRASSMENT BYISOP AND ARREST OF ITS LEADERS, THUS LEAVING
FLOOR ALMOST ENTIRELY TO TREASURY BENCHES. END SUMMARY.

1. FIRST SESSION OF FEDERAL LEGISLATURE UNDER NEW CON-
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STITUTION ENDED WITH ADJOURNMENT OF NATIONAL ASSEMBLY

SEPTEMBER 14 AND OF SENATE FOLLOWING DAY AFTER BOTH HOUSES HAD APPROVED ALL BILLS ON GOVERNMENT LIST. FOLLOWING ARE EMBASSY COMMENTS ON LEGISLATURE PERFORMANCE AND ACCOMPLISHMENTS AT THIS SESSION.

2. THE NEW LEGISLATURE. NATIONAL ASSEMBLY AND NEWLY CONSTITUTED SENATE MOVED SMOOTHLY INTO PROCEDURES UNDER NEW CONSTITUTION, AIDED CONSIDERABLY BY OPPOSITION BOYCOTT WHICH REMOVED BULK OF DISRUPTIVE ELEMENTS. NEW SPEAKERS OF BOTH HOUSES PERFORMED REASONABLY WELL, WITH USUAL EDGE BEING GIVEN GOVERNMENT SPOKESMEN AND POSITIONS. BURDEN OF GOVERNMENT PRESENTATION CARRIED ON SHOULDERS OF ABLE BUT CAUSTIC LAW AND PARLIAMENTARY AFFAIRS MINISTER PIRZADA. PRIME MINISTER BHUTTO DID NOT ATTEND THIS SESSION. SHAUKAT HYAT OF CML ABLY PRESENTED OPPOSITION VIEWPOINT IN ABSENCE OF COMBINED OPPOSITION. SENATE SHOWED EVIDENCE OF INDEPENDENCE IN DEMANDING MORE TIME TO CONSIDER BILLS PASSED BY ASSEMBLY.

3. GOVERNMENT EXTENDS ITS CONTROL. IN SERIES OF BILLS GOP EXTENDED ITS AUTHORITY OVER PUBLIC DISSENT, THE BUREAUCRACY AND LAW ENFORCEMENT AGENCIES SIX MONTH EXTENSION OF GOVERNMENT'S EMERGENCY POWERS AND SUSPENSION FUNDAMENTAL RIGHTS UNDER NEW CONSTITUTION WAS FIRST ORDER OF BUSINESS WHEN ASSEMBLY AND SENATE CONVENED SEPTEMBER 5. OPPOSITION EXCORIATED GOVERNMENT FOR EXTENDING AUTHORITARIAN MEASURES WHICH IT CLAIMED DEPRIVED CRITICS OF PEACEFUL, LAWFUL MEANS OF OPPOSITION. PIRZADA, AZIZ AHMED AND QAIYUM KHAN CARRIED GOVERNMENT CASE, CITING CONTINUED INDIAN RETENTION PAK POWS, HIGH STATE OF INDIAN MILITARY PREPAREDNESS AND ABRASIVE AFGHAN STATEMENTS ABOUT PUSHTUNISTAN AND JUSTIFICATION. PIRZADA AND QAIYUM ALSO ACCUSED OPPOSITION OF ATTEMPTING ASSUME POWER BY FORCE AND OF ENGAGING IN SUBVERSION IN BALUCHISTAN AND ELSEWHERE.

4. IN RADICAL RESTRUCTURING OF PAKISTAN'S CIVIL SERVICE, GOVERNMENT PROPOSED SEVERAL BILLS WHICH IT DESCRIBED AS DESIGNED TO END PRIVILEGED POSITION OF ELITE ADMINISTRATORS AND ENCOURAGE EFFICIENCY, HONESTY AND UPWARD MOBILITY OF LOWER CIVIL SERVANTS. SKEPTICS AND CRITICS AGREED THAT CONFIDENTIAL

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REFORM OF SYSTEM WAS NECESSARY AND OVERDUE BUT CHARGED THAT NEW PROPOSALS WOULD REMOVE "NEUTRAL" NONPARTISAN NATURE OF CIVIL SERVICE AND RESERVE RECRUITMENT AND PROMOTION FOR PEOPLES'S PARTY FAVORITS. (NOTABLE IN THIS

CONNECTION THAT PPP BACKBENCHERS AT ONE SESSION OPENLY ACCUSED MINISTER WITHOUT PORTFOLIO KHURSHID HASAN MEER OF OBTAINING HIGH-LEVEL APPOINTMENTS FOR HIS FRIENDS AND

RELATIONS.)

5. TERMS AND CONDITIONS OF DETENTION, TRIAL AND PUNISHMENT FOR POLITICAL OFFENDERS WERE COVERED IN SEVERAL BILLS, MOST IMPORTANT OF WHICH WAS TREASON PUNISHMENT BILL (INCLUDING ACTS OF ABROGATION OR SUBVERSION ON CONSTITUTION) PRESCRIBING IMPRISONMENT OR DEATH PENALTY FOR THOSE CONVICTED. RETROACTIVE TO 1956, BILL WOULD MAKE POSSIBLE TRIAL OF PERSONS INVOLVED IN THE ISKANDAR MIRZA, AYUB AND YAHYA ACCESSIONS TO POWER. ANOTHER BILL AUTHORIZED DETENTION OUTSIDE BALUCHISTAN OF BALUCH NAP LEADERS ARRESTED IN AUGUST.

6. MAJOR ECONOMIC LEGISLATION INCLUDED ENABLING ACT TO PERMIT GOVERNMENT TO ACQUIRE PROPRIETARY RIGHTS IN THE INDUSTRIAL CONCERNS BROUGHT UNDER STATE MANAGEMENT LAST YEAR AND NATIONALIZATION OF ALL DOMESTIC MANUFACTURERS OF VEGETABLE OIL (ISLAMABAD 7356 AND 7359). THERE WAS LITTLE OPPOSITION TO EITHER BILL.

7. OPPOSITION BOYCOTT. IN TUMULTUOUS VERBAL FREE-FOR-ALL AT OPENING MEETING, OPPOSITION ATTEMPTED TO HALT PROCEEDINGS ON BEHALF OF THE SIX ARRESTED SENATORS AND MNAS FROM BALUCHISTAN. NEW SPEAKER, FAROOQ ALI, HANDLED DIFFICULT SITUATION INEPTLY AND COMBINED OPPOSITION WALKED OUT. CONTINUOUS BOYCOTT LED BY WALI KHAN INCLUDED JIU, JUP, NAP, AND PPP REBELS PLUS THE TWO KASURIS NOW IN TEM BQ. SHAUKAT HYAT (PLUS HAZARVI AND HAKEEM OF JUI WHO HAVE BEEN VOTING WITH THE GOVERNMENT) DID NOT JOIN WALKOUT AND SAT ALONE IN OPPOSITION BENCHES FOR REST OF SESSION. HYAT EFFECTIVELY PRESENTED OPPOSITION POSITIONS AND OFFERED AMENDMENTS (MANY ACCEPTED).

8. COMMENT: WITH ITS OVERWHELMING MAJORITY IN ASSEMBLY
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AND SENATE,
GOVERNMENT CAPABLE OF RAMMING LEGISLATION THROUGH. YET, AS EARLIER CONSTITUTION-MAKING SESSION SHOWED, GOP CAN ALSO MAKE COMPROMISES TO ACCOMMODATE OPPOSITION NEEDS WHEN NECESSARY. CONFRONTATION AT CURRENT SESSION PROBABLY RESULTED IN PART FROM FACT THAT OPPOSITION ONCE AGAIN FELT BACKED INTO CORNER BY GOP RESTRICTIONS ON PUBLIC MEETINGS, CLAMP-DOWN ON OPPOSITION AND INDEPENDENT PRESS, AND ARREST OF BALUCH NAP LEADERS. BOYCOTT (COUPLED WITH CONCURRENT UDF CIVIL DISOBEDIENCE CAMPAIGN) PRESUMABLY DESIGNED TO PROTEST AND DRAMATIZE THESE REPRESSIVE GOP MEASURES. ITS EFFECT, HOWEVER, WAS TO DENY OPPOSITION A SAY IN LEGISLATION AND MEDIA COVERAGE. QUESTION ONCE AGAIN ARISES AS TO WHY, WITH OPPOSITION SO BUMBLING AND OBVIOUSLY IMPOTENT, BHUTTO

REGIME PERSISTS IN USING SUCH ROUGH TACTICS
AGAINST IT THAT EVEN REGIME'S MIDDLE-CLASS SUPPORTERS
ARE EMBARRASSED.
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